

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CM-12285-CWP-2023 in/and
CWP-2979-2003 (O&M)
Date of Decision:-2.8.2023

Bishan Singh Driver ... Petitioner

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rahul Dev Singh, Advocate for the petitioner.

Mr. Inderpreet Singh Kang, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

CM-12285-CWP-2023

By way of filing the instant application, the applicant/petitioner seeks permission to withdraw the main petition i.e. CWP-2979-2003, which stands admitted vide order dated 28.10.2003.

The applicant/petitioner had approached this Court seeking issuance of direction to the respondents to release his full pension a part of which had been withheld alongwith other pensionary benefits on account of his conviction in respect of a case registered for offence under Section 304-A of Indian Penal Code, wherein he was ordered to be released on probation.

Learned counsel for the applicant/petitioner submitted that the applicant/petitioner is currently aged about 70 years and that now the respondent/department, where the petitioner had been serving, have assured

him that the said pensionary benefits shall be released to him in case the applicant/petitioner withdrew the instant petition. It has thus been submitted that in view of the advanced age of the applicant/petitioner and in view of the assurance held out to him by the respondent-department, he may be permitted to withdraw the main case, which stands admitted vide order dated 28.10.2003, with liberty to revive the same in case the pensionary benefits are not released to him.

In view of the aforesaid submissions and in view of the reasons mentioned in the application, the same is allowed as prayed for and the main case i.e. **CWP-2979-2003**, which stands admitted vide order dated 28.10.2003, is preponed and is taken on board today and the main case itself is hereby dismissed as withdrawn with liberty to the applicant/petitioner to revive the same in case the pensionary benefits are not released to him

2.8.2023

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No